

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
**Fredéric SGIER et al.** ) Group Art Unit: 3775  
)  
Application No.: 10/766,911 ) Examiner: Shaffer, Richard R.  
)  
Filed: January 30, 2004 ) Confirmation No.: 4613  
)  
For: **VERTEBRAL ARTHRODESIS** )  
**DEVICE** )

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

Enclosed are the following:

1. A Request for Continued Examination (1 page); and
2. Amendment (15 pages).

The items checked below are appropriate:

- ☒ Applicant hereby petitions for a second and a third month extension of time to respond to the Final Office Action dated September 3, 2008. The time for filing was previously extended to January 3, 2009, and a fee of \$65.00 was paid. \$490.00 (small entity) for the Extension is being paid electronically at the time of filing.

The claims are calculated as below:

	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	Additional Fee
Total	28	-	35	0	x \$ 52	\$ 0
Indep.	2	-	3	0	x \$ 220	0
<input type="checkbox"/> First Presentation of Multiple Dep. Claim(s)					+\$	0
Subtotal						\$ 0
Reduction by ½ if small entity						- 0
TOTAL						\$ 0

- ☐ \$ to cover the cost of the additional claims added by this reply is enclosed.
- ☒ \$405.00 (small entity) to cover the Request for Continued Examination (RCE) is being paid electronically at the time of filing.
- ☒ \$895.00 to cover the above fees is being paid electronically at the time of filing.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P

Date: March 3, 2009

By: 

Michael R. McGurk  
Reg. No. 32,045